

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WACHTEL, ET AL. ,	:	
	:	
Plaintiffs,	:	Civil No. 01-4183(FSH)
v.	:	
	:	
GUARDIAN LIFE INSURANCE, et. al.,	:	
	:	
Defendants.	:	

McCOY,	:	Civil No. 03-1801 (FSH)
	:	
Plaintiff,	:	
v.	:	
	:	
HEALTH NET, INC. et. al.,	:	
	:	
Defendants.	:	

THIS MATTER having come before the Court for a discovery conference on May 27, 2004; and the Court having considered the letters dated April 29, 2004, May 10, 2004, and May 26, 2004; and the Court having considered the arguments of counsel; and the Court being advised that the parties have amicably advised all of the disputes set forth in the letters with the exception of (a) the demand for documents from Health Net of California, Inc., Health Net Health Plan of Oregon, Inc., Health Net of Arizona, Inc., Health Net of Florida, Inc., and Health Net of Ohio, Inc., (b) a request to strike a portion of the defendants' expert report, and (c) issues related to scheduling; and for the reasons set forth on the record on May 27, 2004; and for good cause shown,

IT IS ON THIS 28th day of May, 2004

ORDERED that with respect to all issues set forth in the letters dated May 10, 2004 and May 26, 2004, except for the demand for documents from Health Net of California, Inc., Health Net Health Plan of Oregon, Inc., Health Net of Arizona, Inc., Health Net of Florida, Inc., and

Health Net of Ohio, Inc., the defendants shall produce certifications that all responsive documents have been provided or produce any responsive documents. Said certifications/documents shall be produced no later than June 11, 2004. Before June 11, 2004, defense counsel shall further ensure that an appropriate communication is sent to those employees who may have responsive documents and defense counsel shall make additional inquiries of those individuals they believe would be most responsible for the production of responsive records;

IT IS FURTHER ORDERED that no later than June 11, 2004, Health Net, Inc., Health Net of California, Inc., Health Net Health Plan of Oregon, Inc., Health Net of Arizona, Inc., Health Net of Florida, Inc., and Health Net of Ohio, Inc. shall produce administrative services agreements and the current claims guidelines. If an entity does not have claims guidelines, then the defendants shall produce an affidavit from such an entity that indicates whether or not the entity uses the twenty-seven criteria/methods for calculating reimbursement;

IT IS FURTHER ORDERED that the deposition of all experts shall be completed no later than June 14, 2004;

IT IS FURTHER ORDERED that, no later than June 8, 2004, the defendants shall submit their response to the application to strike Part II of the Report of Bernard Siskin. There shall be an in-person hearing on this application and to address issues related to scheduling on June 21, 2004 at 3:00 p.m.; and

IT IS FURTHER ORDERED that all other terms of the Order dated November 5, 2003 shall remain in full force and effect.

s/Patty Shwartz
United States Magistrate Judge